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RELATING TO LAW ENFORCEMENT; ENACTING THE PUBLIC SAFETY
TELECOMMUNICATOR TRAINING ACT; PROVIDING RULES AND PROCEDURES FOR
TELECOMMUNICATOR TRAINING, CERTIFICATION AND CONTINUING EDUCATION;
DEFINING POWERS AND DUTIES OF THE BOARD AND THE DIRECTOR OF THE
NEW MEXICO LAW ENFORCEMENT ACADEMY; AMENDING, REPEALING AND
ENACTING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 29-7-4 NMSA 1978 (being Laws 1969, Chapter 264,
Section 6, as amended) is amended to read:

"29-7-4. POWERS AND DUTIES OF BOARD.--The board shall:

A. approve or disapprove the appointment of the director by the
secretary;

B. develop and implement a planned program of:

(1) basic law enforcement training and in-service law enforcement training, a
portion of which may be conducted on a regional basis; and

(2) basic telecommunicator training and in-service
telecommunicator training, as provided in the Public Safety Telecommunicator Training
Act, a portion of which may be conducted on a regional basis;

C. prescribe qualifications for instructors and prescribe courses of
instruction for:

(1) basic law enforcement training and in-service law
enforcement training; and

(2) basic telecommunicator training and in-service
telecommunicator training, as provided in the Public Safety Telecommunicator Training
Act;

D. report annually to the governor;

E. in its discretion, accept donations, contributions, grants or gifts from

1 whatever source for the benefit of the academy, which donations, contributions, grants S
2 or gifts are appropriated for the use of the academy; B

3 F. adopt, publish and file, in accordance with the provisions of the 3
4 State Rules Act, all regulations and rules concerning the operation of the academy 8
5 and the implementation and enforcement of the provisions of the Law Enforcement 6
6 Training Act and the Public Safety Telecommunicator Training Act; P
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9 G. issue, grant, deny, renew, suspend or revoke a: 2
10 (1) peace officer's certification for any cause set forth in the provisions of the
11 Law Enforcement Training Act; and

12 (2) telecommunicator's certification for any just cause set forth
13 in the Public Safety Telecommunicator Training Act;

14 H. administer oaths, subpoena persons and take testimony on any
15 matter within the board's jurisdiction; and

16 I. perform all other acts appropriate to the development and operation
17 of the academy."

18 Section 2. Section 29-7-5 NMSA 1978 (being Laws 1969, Chapter 264,
19 Section 7, as amended) is amended to read:

20 "29-7-5. POWERS AND DUTIES OF THE DIRECTOR.--The director shall:

21 A. be the chief executive officer of the academy and employ necessary
22 personnel;

23 B. issue a certificate of completion to any person who:

24 (1) graduates from an approved basic law enforcement training
25 program and who satisfies the qualifications for certification as set forth in Section
29-7-6 NMSA 1978; or

(2) graduates from an approved basic telecommunicator
training program and who satisfies the qualifications for certification as set forth in the
Public Safety Telecommunicator Training Act;

C. perform all other acts necessary and appropriate to the carrying out
of his duties;

- 1 D. act as executive secretary to the board; SB
2 E. carry out the policy as set by the board; and
3 F. annually evaluate the courses of instruction being offered by the 3
4 academy and make necessary modifications and adjustments to the programs." 8
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6 Section 3. SHORT TITLE.--Sections 3 through 11 of this act may be cited as 6
7 the "Public Safety Telecommunicator Training Act". Pa
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9 Section 4. DEFINITIONS.--As used in the Public Safety Telecommunicator 3
10 Training Act: 3

11 A. "board" means the New Mexico law enforcement academy board;

12 B. "certified" means meeting the training standards established by
13 statute and rule as determined by the board;

14 C. "director" means the director of the New Mexico law enforcement
15 academy;

16 D. "dispatch" means the relay of information to public safety personnel
17 by all forms of communication;

18 E. "safety agency" means a unit of state or local government, a special
19 purpose district or a private business that provides police, firefighting or emergency
20 medical services; and

21 F. "telecommunicator" means an employee or volunteer of a safety
22 agency who:

23 (1) receives calls or dispatches the appropriate personnel or
24 equipment in response to calls for police, fire or medical services; and

25 (2) makes decisions affecting the life, health or welfare of the
public or safety employees.

Section 5. QUALIFICATIONS FOR CERTIFICATION.--An applicant for
certification shall provide evidence satisfactory to the board that he:

A. is a citizen or legal resident of the United States and has reached
the age of majority;

B. holds a high school or general equivalency diploma from an

1 accredited institution;

2 C. has not been convicted of, pled guilty to or entered a plea of nolo
3 contendere to a:

4 (1) felony charge; or

5 (2) violation of a federal or state law, a local ordinance relating
6 to aggravated assault or theft or a law involving moral turpitude within the three-year
7 period immediately preceding his application;

8 D. has not received a dishonorable discharge from the armed forces
9 of the United States;

10 E. is free from a physical, emotional or mental condition that might
11 adversely affect his performance;

12 F. is of good moral character;

13 G. has met all other requirements for certification prescribed by the
14 board; and

15 H. has received a certificate attesting to his completion of an approved
16 basic telecommunicator training program from the director.

17 Section 6. BASIC TELECOMMUNICATOR TRAINING PROGRAM.--The board
18 shall develop and adopt a basic telecommunicator training program for
19 telecommunicator certification. The program shall be constructed to meet the
20 minimum basic needs of telecommunicators in New Mexico.

21 Section 7. MINIMUM TRAINING STANDARDS FOR CERTIFICATION.--

22 A. A telecommunicator shall satisfy the qualifications for certification
23 set forth in the Public Safety Telecommunicator Training Act within twelve months after
24 beginning employment and shall provide a certificate of completion to the director.

25 B. The director shall waive the training requirements set forth in
Subsection A of this section for a police radio dispatcher who is certified as a police
radio dispatcher and has met all other requirements set forth by the board.

Section 8. CERTIFICATION BY WAIVER.--

A. The director shall waive the basic telecommunicator training

1 program and certify applicants who furnish evidence of satisfactory completion of a
2 basic telecommunicator training program that, in the director's opinion, is substantially
3 equivalent to the board's basic telecommunicator training program.

4 B. A telecommunicator granted a waiver under this section shall meet
5 all other requirements set out in the Public Safety Telecommunicator Training Act.

6 Section 9. IN-SERVICE TELECOMMUNICATOR TRAINING.--

7 A. In-service telecommunicator training consists of at least twenty
8 hours of board-approved advanced training for each certified telecommunicator during
9 each two-year period. The first training course shall commence no later than twelve
10 months after graduation from a board-approved basic telecommunicator training
11 program.

12 B. A certified telecommunicator shall provide proof of completion of in-
13 service training requirements to the director no later than March 1 of the year
14 subsequent to the year in which the requirements are met. The director shall provide
15 annual notice to all certified telecommunicators regarding in-service training
16 requirements. Failure to complete in-service training requirements may be grounds
17 for suspension of a telecommunicator's certification at the director's discretion. A
18 telecommunicator may be reinstated at the discretion of the director when the
19 telecommunicator presents to the director evidence he has satisfied the in-service
20 training requirements.

21 Section 10. REPORTS AND ROSTERS.--

22 A. A safety agency that operates within the state shall submit a
23 quarterly report to the director on the status of each telecommunicator. The reporting
24 forms and submittal dates shall be prescribed by the director.

25 B. The director shall maintain a roster of all certified
telecommunicators.

Section 11. REFUSAL, SUSPENSION OR REVOCATION OF CERTIFICATION.-

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A. The board shall refuse to issue or shall suspend or revoke a

1 telecommunicator's certification, after consultation with his employing safety agency, if SB
2 the board determines that a person has:
3 (1) failed to satisfy the qualifications for certification set forth in 3
4 Section 29-7A-3 NMSA 1978; 8
5 (2) committed acts that constitute dishonesty or fraud; P
6 (3) been convicted of, pled guilty to or entered a plea of nolo a
7 contendere to a: 9
8 (a) felony charge; or 6
9 (b) violation of a federal or state law, a local ordinance
10 relating to aggravated assault or theft or a law involving moral turpitude; or
11 (4) knowingly made a false statement on his application.

12 B. The board shall develop, adopt and promulgate administrative
13 procedures for suspension or revocation of a telecommunicator's certification that
14 include:
15 (1) notice and opportunity for the affected telecommunicator to
16 be heard; and
17 (2) procedures for review of the board's decision.

18 Section 12. REPEAL.--Sections 29-7A-1 through 29-7A-7 NMSA 1978 (being
19 Laws 1979, Chapter 228, Sections 1 through 7, as amended) are repealed.

20 Section 13. EFFECTIVE DATE.--The effective date of the provisions of this act
21 is July 1, 2003.
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